

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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TIFFANY WILSON, on behalf of herself and all  
others similarly situated,

Plaintiff,

-against-

21 CIVIL 5930

**JUDGMENT**

MASTERCARD INC., and MASTERCARD  
INTERNATIONAL INC.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated August 8, 2022, because the Court is dismissing the Amended Complaint for lack of subject-matter jurisdiction, the Court does not reach the merits of Defendants' motion to dismiss for failure to state a claim under Rule 12(b)(6) and Rule 9(b). "[W]here a complaint is dismissed for lack of Article III standing, the dismissal must be without prejudice, rather than with prejudice" because "without jurisdiction, the district court lacks the power to adjudicate the merits of the case." *Carter v. HealthPort Techs., LLC*, 822 F.3d 47, 54-55 (2d Cir. 2016) (internal citations omitted). Accordingly, the complaint is DISMISSED without prejudice.

**Dated:** New York, New York

August 10, 2022

**RUBY J. KRAJICK**

BY:

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**Clerk of Court**

*K. mango*

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**Deputy Clerk**